



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZHENJIAN WANG, on behalf of :
Himself and others similarly situated, :

Plaintiff, :

- against - :

XING YUE INC., et al., :

Defendants. :
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19-CV-5072 (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

The parties have submitted Defendant's offer of judgment pursuant to Federal Rule of Civil Procedure 68 along with Plaintiff's acceptance of same. (Dkt. 74.) Having reviewed the terms of the accepted offer of judgment, the Court notes its concern about the amount of settlement funds apportioned to Plaintiff's lawyers as compared to Plaintiff. However, as the parties have resolved this matter by way of a Rule 68 Offer of Judgment, rather than settlement, no fairness review is warranted pursuant to *Mei Xing Yu v. Hasaki Restaurant, Inc.*, 944 F.3d 395, 400 (2d Cir. 2019). Accordingly, the Court directs entry of judgment on terms contained in the accepted Offer of Judgment, with each party to bear their own fees and costs except as set forth in the accepted Offer of Judgment.

The Clerk of Court is respectfully requested to enter judgment.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: November 29, 2021
New York, New York

Copies transmitted this date to all counsel of record.